

## **PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following Department rule:

### **Education of Non-Adjudicated Residents**

This rule is amended to require the RI Training School to initiate procedures to obtain a resident's record from the school system where the resident last attended on the fifth day of detention rather than the fifteenth day of detention. This policy also proceeds from the requirements of RI General Law, Federal Law, RI Supreme Court Decisions, the Federal Consent Decree in *Inmates of the RI Training School v. Janice DeFrances*, federal regulation and the Annie E Casey Juvenile Detention Reform Standards. In the amendment of this rule, consideration was given to: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>). Interested persons may submit written comments by June 9, 2014 to Susan Bowler, Implementation Director for Policy and Programs, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 ([Susan.Bowler@dcyf.ri.gov](mailto:Susan.Bowler@dcyf.ri.gov)).

**In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.**

Posted May 6, 2014

# Education of Non - Adjudicated Residents

Rhode Island Department of Children, Youth and Families  
Division of Juvenile Correctional Services: Training School

**Policy: 1200.1715**

**Effective Date: June 14, 2004**

**Revised Date: 2014 ~~September 1, 2010~~**

**Version: 2**

The Education Program provides educational services for all residents through assigned learning groups. During the entire length of the resident's stay at the Training School, regardless of his/her adjudication status, Education Program staff encourage parent or legal guardian participation.

## Related Procedure

[Education of Non - Adjudicated Residents](#)

## Related Policy

[Educational Evaluation of Residents](#)

[Special Education Services](#)

[Compliance with Section 504 of the Rehabilitation Act](#)

## Education of Non - Adjudicated Residents

### Procedure from Policy 1200.1715: Education of Non - Adjudicated Residents

- A. Non-adjudicated residents are provided instruction as follows:
1. Each resident is evaluated in conformance with DCYF Policy 1200.1714, Educational Evaluation of Residents. Information gathered is utilized to assign him/her to appropriate learning group.
  2. Residents participate in academic and co-curricular subjects.
  3. A certified Special Education Teacher provides support in conformance with DCYF Policy 1220.1725, Special Education Services.
  4. On the ~~fifth~~<sup>fifteenth</sup> day of detention, the Education Administration initiates procedures to obtain the resident's record from the school system where the resident last attended.
  5. Resident's educational placement and/or services are adjusted, if necessary, based on the needs identified in the records forwarded by the home school/district.
  6. On the 21<sup>st</sup> day and thereafter, detained residents receive educational credit for work which is transferred to the local school/district.
- B. Paragraph A is consistent with Correctional Education Association Standard 43 as well as American Correctional Association Standards 3-JDF-5C-01 and 3-JDF-5C-02.